

Remarks/Arguments

The Office Action mailed July 8, 2004 has been reviewed and carefully considered. Reconsideration of the above-identified application, as herein amended and in view of the following remarks, is respectfully requested.

Claims 1-11 have been amended. Claims 1-13 are pending in this application.

The drawings stand objected to under 37 CFR 1.83(a). Figures 1, 3, and 4 have been amended and are believed to satisfy 37 CFR 1.83(a). Reconsideration of the objection is respectfully requested.

Claims 1-4, 6, 8-9, and 11 stand rejected under 35 U.S.C. §102(b) as being anticipated by Kim. Claim 10 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Kim in view of O'Conner.

The Applicants respectfully assert that none of the cited references teach or suggest “calculating an *actual INSTANT of presentation Tpres of the video of an image*, this instant relating to a local clock LSTC”, as recited in independent Claim 1. The Applicants respectfully disagree with the Examiner's assertion that the preceding limitation is disclosed in Kim by the divider 36 in FIG. 4 of Kim. Figure 4 of Kim is a detailed block diagram of the system clock generator of Figure 2 of Kim (Kim, col. 2, lines 39-40). The only corresponding text in regarding the divider 36 is as follows: “when the selector 34 supplies the clock of the VCO 33 to the counter 35, a first counter 37 receives a clock having a frequency of 90KHz produced via a divider 36 which divides the frequency of the clock input from selector 34 by 300” (Kim, col. 4, lines 27-31). Kim further describes the selector as follows: “[t]he selector 34 generates a system clock corresponding to a value of the PCR of the depacketizer 10, and is controlled by a load signal (LOAD) applied when a decoding system is turned on or when there is a channel alteration, to transmit a PCR supplied from the depacketizer 10 to a counter. However, it is respectfully asserted that none of the following correspond to an “*actual INSTANT of presentation Tpres of the video of an image*”, as recited in Claim 1: the time when a decoding system is turned on

(time of power-up of decoder is not the same actual instant of presentation of the video of an image since, e.g., there is an initialization stage in powering up a decoder before any data can actually be decoded), a channel is changed, or a time resulting from the division of a system clock by a fixed number in response to any of the two preceding conditions. For example, the Applicants' specification explicitly notes that the instant of presentation (T_{pres}) is NOT even EQUAL to a "start instant of decoding" (T_{dec}), let alone powering-up of the decoder (see Applicants' specification, p. 15, lines 6, where " $T_{pres} = T_{dec} + \text{TimeRef} * 40\text{ms} + T_{DEC}$ ").

Further, the Applicants respectfully assert that none of the cited references teach or suggest "means for calculating an offset STCO to be applied to the local clock LSTC of the decoder so as to define a virtual clock VSTC, this offset being equal to the difference between the instant of presentation T_{pres} of the video of an image, as calculated in the LSTC tag, and the PTS value of presentation of this image originating from the coder, the decoding of the video data being carried out when this virtual clock VSTC is equal to the corresponding PTS value", as recited in independent Claim 11. For example, the word "tag" does not even appear in Kim, let alone "LSTC tag", or further, let alone an "instant of presentation T_{pres} of the video of an image, as calculated in the LSTC tag", as recited in Claim 11. Moreover, the word "PTS" does not even appear in Kim, let alone "PTS value", or further, let alone the "PTS value of presentation of this image originating from the coder" being used to calculate an offset where the offset is equal to the difference between the instant of presentation T_{pres} of the video of an image ... and the PTS value, as essentially recited in Claim 11. Additionally, Kim does disclose or even remotely suggest that the decoding of the video data is carried out when this virtual clock VSTC is equal to the corresponding PTS value, as essentially recited in Claim 11.

A reference cited against a claim under 35 U.S.C. §102 must disclose each and every limitation of the rejected claim. Accordingly, independent Claims 1 and 11 are patentably distinct and non-obvious over the cited reference (Kim) for at least the reasons set forth above.

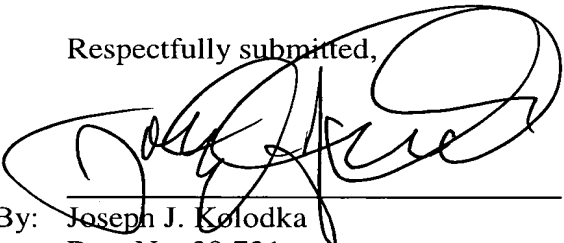
Moreover, the Applicants respectfully assert that none of the cited references, either taken alone or in combination, teach or suggest all of the above-limitations of Claims 1 and 11. Accordingly, Claims 1 and 11 are patentably distinct and non-obvious over all of the references for at least the reasons set forth above.

Claims 2-10 and 12-13 depend either directly or indirectly from Claims 1 and 11, respectively, and, thus, include all the limitations of Claims 1 and 11, respectively. Accordingly, Claims 2-10 and 12-13 are patentably distinct and non-obvious over all of the references for at least the reasons set forth above with respect to Claims 1 and 11, respectively. Thus, reconsideration of the rejections is respectfully requested.

In view of the foregoing, Applicant respectfully requests that the rejections of the claims set forth in the Office Action of July 8, 2004 be withdrawn, that pending claims 1-13 be allowed, and that the case proceed to early issuance of Letters Patent in due course.

No fee is believed due. However, if a fee is due, please charge the additional fee to Deposit Account 07-0832.

Respectfully submitted,


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Date

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